

ASSIGNED

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office.....OCT 14 1970.....

Returned to applicant for correction.....

Corrected application filed.....

Map filed.....OCT 26 1970.....

The applicant.....Tom Marvel Ranches, Inc. - c/o Chilton Engineering
421 Court
 of.....Elko....., County of.....
 State of.....Nevada 89801....., hereby make.... application for permission to appropriate the public
 waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorpora-
 tion; if a copartnership or association, give names of members.).....Corporation, formed
March 1, 1968, Nevada

1. The source of the proposed appropriation is.....Underground Well.....
Name of stream, lake or other source.
2. The amount of water applied for is.....5.0 cfs.....second-feet
One second-foot equals 448.83 gals. per min.
 (a) If stored in reservoir give number of acre-feet.....acre-feet
3. The water to be used for.....Irrigation.....
Irrigation, power, mining, manufacturing, domestic, or other use.
4. If use is for:
 - (a) Irrigation (state number of acres to be irrigated).....400 acres.....
 - (b) Stockwater (state number and kinds of animals to be watered).....
 - (c) Other use (describe fully under "No. 11. Remarks").....
 - (d) Power:
 - (1) Horsepower developed.....
 - (2) Point of return of water to stream.....
5. The water is to be diverted from its source at the following point:.....SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 36, T31N,
R 45 E, MDM at a point from which the SE corner of said Section 36
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,
bears S 34° 43' 20" E 3254 feet
it should be stated.
6. Place of use.....N $\frac{1}{2}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Section 36, T 31 N, R 45 E, MDM
Describe by legal subdivision, if on unsurveyed land it should be so stated.
7. Use will begin about.....January 1.....and end about.....December 31....., of each year.
Month Month
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans
 and specifications of your diversion or storage works.).....Drill well to sufficient depth to
produce required amount of water, construct ditches and laterals
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works \$15,000.00
10. Estimated time required to construct works 3 years
11. Estimated time required to complete the application to beneficial use 5 years
12. Remarks Please send copies of all correspondence and notices to
Applicant's address: Box 233, Battle Mountain, Nevada 89820.
Map filed in support of P.B.U. #25246 is made a part hereof.

Applicant Tom Marvel Ranches, Inc.

By s/Mark Chilton
Agent
421 Court
Elko, Nevada 89801

Compared sdb/bk jw/bk

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to any other ground water development in the area. A substantial weir or other type of measuring device must be installed and measurements of water use kept. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 5.0 cubic feet per second but not to exceed a yearly duty of 4.0 acre feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before October 14, 1971

Proof of commencement of work shall be filed before November 14, 1971

Work must be prosecuted with reasonable diligence and be completed on or before October 14, 1972

Proof of completion of work shall be filed before November 14, 1972

Application of water to beneficial use shall be made on or before October 14, 1975

Proof of the application of water to beneficial use shall be filed on or before November 14, 1975

Map in support of proof of beneficial use shall be filed on or before November 14, 1975

Commencement of work filed AUG 4 1972
Completion of work filed FEB 28 1974
Proof of beneficial use filed JUL 22 1977
Cultural map filed JUL 22 1977
Certificate No. 9086 Issued 8-29-77
Recorded Bk Page
County Recorder

IN TESTIMONY WHEREOF, I Roland D. Westergard
State Engineer of Nevada, have hereunto set my hand and the seal of
my office, this 14th day of April,

A.D. 19 71

Roland D. Westergard
State Engineer